

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID C. LETNER,

Defendant.

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Case No. 3:05-cr-068 (1)

Judge Thomas M. Rose

**ENTRY AND ORDER DENYING DEFENDANT'S MOTION FOR
COMPASSIONATE RELEASE (ECF 126) WITHOUT PREJUDICE TO
REFILING.**

This matter is before the Court upon motion of the defendant for a reduction in sentence pursuant to 18 U.S.C. § 3582(c)(1)(A), (ECF 126), to which the government's time to respond has expired. Petitioner David C. Letner informs the Court that he has contracted Gillian-Barre Syndrome. The Court notes that those who contract Covid-19 are at risk of contracting Gillian-Barre Syndrome, *see* <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7158817/>, but is not aware of the converse—that having it is a risk factor for Covid-19. *See* <https://www.gbs-cidp.org/a-statement-from-the-gbscidp-foundation-regarding-the-covid-19/>.

After considering the applicable factors set forth in 18 U.S.C. § 3553(a) and the applicable policy statements issued by the Sentencing Commission to the extent they are relevant to whether a reduction is warranted, it is hereby **ORDERED** that the motion is **DENIED** after complete review of the motion on its merits.

DONE and **ORDERED** in Dayton, Ohio, this Thursday, November 19, 2020.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE